

1 **Rod Danielson**
2 **Chapter 13 Trustee**
3 **3787 University Avenue**
4 **Riverside, CA 92501**
5 **Tel. (951) 826-8000, Fax (951) 826-8090**

6 **UNITED STATES BANKRUPTCY COURT**
7 **CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION**

8
9 **IN RE:**

Case No.: 6:13-bk-29102-MJ

10 **JOSE DAVID GALARZA**
11 **CATALINA GALARZA**


**NOTICE AND MOTION FOR ORDER
DISMISSING CHAPTER 13 PROCEEDING
(DELINQUENCY)**

12 Debtor(s).

13
14 PLEASE TAKE NOTICE that the trustee herein moves for an order dismissing this proceeding or
15 after 10/13/2015 unless the debtor(s) cure the default by paying the delinquency, which based on the
16 review of the records of the Trustee, amounts to \$1,558.01. In addition, debtor(s) must pay any subsequent
17 plan payment that comes due after the date of this notice. This motion is based on the following grounds:
18 Material default by the debtor(s) with respect to the term of the confirmed plan by failing to make
19 payments according to the plan (11 U.S.C. 1307(c)(6)). **Delinquent plan payments must be mailed to:**
20 **PO Box 92997, Los Angeles, CA 90009.**

21 This motion may be granted without a hearing pursuant to local Bankruptcy Rule 9013-1 (o)(1).
22 Any party in interest who wishes to oppose the motion **must obtain a hearing date** from the
23 clerk of the Court for the Riverside Division and must file and serve opposition papers **and**
24 **notice of hearing** on the Trustee within fourteen (14) days of the date of service hereof. Failure
25 to comply with these provisions will result in the dismissal of the case.

26 I declare under penalty of perjury that I am the duly appointed qualified and acting Chapter 13
27 Trustee and that the foregoing is true and correct. Executed at Riverside, California on 9/29/2015.

28
29
30

Rod Danielson, Chapter 13 Trustee

In re: **JOSE DAVID GALARZA
CATALINA GALARZA**

Page 2 of 2

Chapter: 13

Debtor(s)

Case Number: **6:13-bk-29102-MJ****PROOF OF SERVICE OF DOCUMENT**

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address 3787 University Avenue, Riverside, CA 92501.

The foregoing document described **NOTICE AND MOTION FOR ORDER DISMISSING CHAPTER 13 PROCEEDING** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") - Pursuant to controlling General Orders(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On _____ I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

☐ Service Information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):

On **9/29/2015** I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. *Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.*

JOSE DAVID GALARZA
CATALINA GALARZA
16050 EDGEWATER LN
MORENO VALLEY, CA 92551-1647

LAW OFFICES OF TYSON TAKEUCHI
1100 WILSHIRE BLVD, STE 2606
LOS ANGELES, CA 90017

☐ Service Information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (Indicate method for each person or entity served): Pursuant to F.R.Civ.P.5 and/or controlling LBR, on _____ I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. *Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.*

☐ Service Information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

9/29/2015
Date

Tony Ho
Type Name


Tony Ho